

SEP 19 2006

PATENT  
Atty. Dkt. No. SALK3130-1  
(088802-9702)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Downes et al.

Title: NON-STEROIDAL  
FARNESOID X RECEPTOR  
MODULATORS AND  
METHODS OF USE THEREOF

Appl. No.: 10/658,115

Filing Date: 09/08/2003

Examiner: Bernard I. Dentz

Art Unit: 1645

Conf. No. 9689

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450, Alexandria  
VA 22313-1450

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.  <u>Stephen E. Reiter</u> (Printed Name)  <u>Step E. L.</u> (Signature)  <u>September 19, 2006</u> (Date of Deposit)
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**PETITION UNDER 37 C.F.R. § 1.313(c) FOR WITHDRAWAL FROM ISSUE**

Sir:

Applicants hereby respectfully request that the Office withdraw the above-identified application from issue. Withdrawal under 37 C.F.R. § 1.313(c) is necessary in order for the application to be expressly abandoned under 37 C.F.R. § 1.138.

Claims 1-32, 36, and 37 of the above-identified application were allowed on June 8, 2006 as indicated on Form PTOL-37 (copy attached). The issue fee was timely paid on July 21, 2006.

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